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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/725,245 | 12/01/2003 | Satoshi Suda | 09868/000M895-USO | 1948 |
| 7278 | 7590 | 07/26/2007 | | |
| DARBY & DARBY P.C. P.O. BOX 770 Church Street Station New York, NY 10008-0770 | | | EXAMINER KIM, ANDREW | |
| | | | ART UNIT 3714 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/725,245 | Applicant(s) SUDA ET AL. | |
| | Examiner Andrew Kim | Art Unit 3714 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-10,12-20 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 6-10, 12-20, 23-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>4/19/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to the amendment filed on 4/19/07 in which:

- Claims 1, 2, 4, 6-10, 12-15, 19, 20 and 23-28 have been amended.
- Claims 3, 5, 11, 21, and 22 have been canceled.
- Response to claims rejection have been filed.
- Claims 1, 2, 4, 6-10, 12-20, 23-28 are pending.
- Applicant overcomes the objection to the IDS because a supplemental IDS has been submitted. Therefore, the objection is withdrawn.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 6-10, 12-20, 23-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Vancura (US 6,059,289).

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Claims 1, 7, 8, 17. Vancura discloses an invention comprising:

a display module that, at a start of a game comprising a normal game and a bonus game having a high probability of being advantageous to a player, provides a changing display of symbols initially in a static state in a plurality of display regions, said symbols being capable of changing continuously to other symbols in said changing display (fig. 1, col. 7);

said display module providing a static display stopping said symbols in said changing display and statically displaying said symbols in said display regions, said symbols that are displayed statically optionally comprising a plurality of bonus symbols when said game is in said normal game (fig. 1, col. 7 and 8);

an evaluation module that determines, when said game is in said normal game, whether said plurality of statically displayed bonus symbols meet a condition for starting said bonus game (col. 7, lines 5-14);

wherein when said condition is met, and before said bonus game starts, said display module displays a possible payout value that can be awarded to the player as payout for said bonus game as a plurality of independent values, each of said plurality of independent values being displayed with one of the plurality of bonus symbols in said display region (fig. 1, Abstract, col. 12:60-65); the initial riskless award can be a plurality of independent values and is displayed with the bonus symbols in the display region of the machine.

wherein after the start of the bonus game, said evaluation module randomly selects one of the plurality of independent values as the payout for said bonus game (abstract, col. 11:1-25 and 15:1-36 and 16:1-10). One of the initial values may also be a potential award for the bonus game as shown in col. 16:1-10.

Claim 2. Vancura discloses an invention wherein each of the plurality of independent values is identified as a value range (col. 15, lines 37-43).

Claim 4. Vancura discloses an invention wherein each of the plurality of independent values is defined as a value expressed using one of an addition and a multiplication operator (Abstract).

Claim 6. Vancura discloses an invention wherein said plurality of independent values displayed with said plurality of bonus symbols are changed corresponding to a number of bets made by the player (col. 18, line 9).

Claim 9. Vancura discloses an invention wherein said evaluation module determines, while said symbols are in said changing display and when said game is in said normal game, whether said plurality of statically displayed bonus symbols meet said condition (col. 7, lines 5-14).

Claim 10. Vancura discloses an invention wherein each of the plurality of independent values is identified as a value range (col. 15, lines 37-43).

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Claim 12. Vancura discloses an invention wherein each of the plurality of independent values is defined as a value expressed using one of an addition and a multiplication operator (Abstract).

Claim 13. Vancura discloses an invention wherein said display module displays said possible payout value that can be awarded to the player in said display region that is displaying said plurality of statically displayed bonus symbols (fig. 1, item 70, 75, col. 6).

Claim 14. Vancura discloses an invention wherein said possible payout value displayed along with said plurality of statically displayed bonus symbols is changed corresponding to a number of bets made by the player (col. 18, line 9).

Claim 15. Vancura discloses an invention wherein said evaluation module of said game machine determines, while said symbols are in said changing display and when said game is in said normal game, whether said plurality of statically displayed bonus symbols meet said condition (col. 7).

Claim 16. Vancura discloses an invention wherein said evaluation step occurs while said symbols are in said changing display (col. 7).

Claim 18. Vancura discloses an invention wherein said determining step occurs while said symbols are in said changing display (col. 7).

Claim 19. Vancura discloses an invention wherein each of the plurality of independent values is identified as a value range (col. 15, lines 37-43).

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Claim 20. Vancura discloses an invention wherein each of the plurality of independent values is identified as a Value range (col. 15, lines 37-43).

Claim 23. Vancura discloses an invention wherein each of the plurality of independent values is defined as a value expressed using one of an addition and a multiplication operator (Abstract).

Claim 24. Vancura discloses an invention wherein each of the plurality of independent values is defined as a value expressed using one of an addition and a multiplication operator (Abstract).

Claim 25. Vancura discloses an invention wherein said possible payout value to be awarded to the player is displayed in said display region that is displaying said statically displayed bonus symbols (fig. 1, item 70, 75, col. 6).

Claim 26. Vancura discloses an invention wherein said possible payout value that can be awarded to the player is displayed in said display region that is displaying said statically displayed bonus symbols (fig. 1, item 70, 75, col. 6).

Claim 27. Vancura discloses an invention further comprising the step of changing said plurality of independent values displayed with said plurality of bonus symbols are corresponding to a number of bets made by the player (col. 18, line 9).

Claim 28. Vancura discloses an invention further comprising the step of changing said plurality of independent values displayed with said plurality of bonus symbols are corresponding to a number of bets made by the player (col. 18, line 9).

Response to Arguments

Applicant's arguments filed 4/19/07 have been fully considered but they are not persuasive.

Regarding the independent claims 1, 7, 8 and 17, with respect to the argument that Vancura does not display a possible payout value provided as a plurality of independent values, the examiner respectfully asserts that Vancura does indeed display a possible payout value as a plurality of independent values at different times (not simultaneously) before the start of the bonus game.

Regarding the independent claims 1, 7, 8 and 17, with respect to the argument that Vancura does not display a plurality of values with the bonus symbols, the examiner respectfully asserts that the display region has been interpreted as all of the front face of Vancura's invention including the first and second machine.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Slomiany et al. (US 6159098) – Dual award system.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AK 7/23/2007


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